UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/47/706
20 November 1992
ENGLISH
ORIGINAL: FRENCH

Forty-seventh session
Agenda items 79, 81, 84, 93 and 97

REPORT OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

INTERNATIONAL COOPERATION FOR THE ERADICATION OF POVERTY IN DEVELOPING COUNTRIES

INTERNATIONAL COOPERATION FOR ECONOMIC GROWTH AND DEVELOPMENT

SOCIAL DEVELOPMENT

HUMAN RIGHTS QUESTIONS

Letter dated 19 November 1992 from the Permanent Representative of Cameroon to the United Nations addressed to the Secretary-General

I have the honour to request you to circulate the text of the resolutions adopted by the 87th Inter-Parliamentary Conference, held at Yaoundé, Republic of Cameroon, from 3 to 11 April 1992 (see annex) as a document of the General Assembly under agenda items 79, 81, 84, 93 and 97.

(Signed) Pascal BILOA TANG
Ambassador extraordinary and plenipotentiary
Permanent Representative

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ANNEX

[Original: English and French]

Declaration and resolutions adopted by the 87th Inter-Parliamentary Conference, held at Yaoundé, from 3 to 11 April 1992

ENVIRONMENT AND DEVELOPMENT: THE VIEWS OF PARLIAMENTARIANS ON THE MAIN DIRECTIONS OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT AND ITS PROSPECTS

Statement adopted unanimously

I. Statement of principles for a sustainable planet

(1) Twenty years after the Stockholm Conference, the United Nations Conference on Environment and Development (UNCED), to be held in Rio de Janeiro, has been entrusted with the job of tackling ecological questions in the perspective of sustainable development, defined by the Brundtland Commission as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs."

(2) The United Nations Conference on Environment and Development (UNCED) provides an excellent opportunity to address some of the world's most pressing problems. For the first time in history, political leaders from all countries of the world will assemble in an effort to ensure sustainable development, which is defined as "improving the quality of human life while living within the carrying capacity of supporting ecosystems" in "Caring for the Earth, a strategy for sustainable living" (IUCN, UNEP, WWF, 1991).

(3) UNCED will therefore have to place the notion of interdependence at the heart of its discussions: interdependence in time between present and future generations; geographical interdependence between continents, regions and States; interdependence between the major problems of mankind and the environment (population growth, health, poverty, uncontrolled urbanization); and lastly, interdependence between the countries of the North, whose development has been accompanied by wasted resources and an unchecked accumulation of wastes and which are responsible for nearly two-thirds of all pollution worldwide, and the countries of the South, which for lack of means find themselves forced to compromise their assets and their environment and yet are unable to produce the bare essentials of a satisfactory life.

(4) In addition to seeking ways of tackling sectoral environmental problems, UNCED should set overall objectives which make sustainable development possible: integration of environmental and developmental considerations at the earliest stage of economic decision-making, stabilization of population growth and reduction of waste, respect for nature and the geographical and cultural environment as well as the elimination of poverty, equitable distribution of wealth, rejection of the consumerist system and the adoption of new values on which to base development.

(5) These objectives are the business of States but also and above all of individuals. Accordingly, education must play a key role as an essential vehicle for collective awareness-building without which policies will remain a dead letter.

(6) But success will not come easily. Reconciling concerns of **development** with those of **environment** and concerns of **equity** with those of **efficiency** are both formidable tasks. The continuing economic decline of the majority of developing countries, which is mainly due to the unjust nature of present international economic relations and the resultant problems relating to debt, financing of trade and development, transfer of technology and the activities of transnational corporations, exacerbates the degradation of the environment in these countries. The principle of sufficient economic growth to meet human needs and aspirations without excessive and wasteful consumption should be pursued together with policies to reduce high rates of population growth. Such policies and principles, together with the search for a more equitable international economic system, are essential objectives in any strategy for the rational protection and improvement of the environment.

(7) To be fully successful, efforts for sustainable development must lead to a significant reordering of priorities in the management of the world's finite resources. At the same time, democratization should be encouraged at all levels and the role of women and the need for their full participation should be acknowledged and taken into account in national, regional and international initiatives and in the formulation of future strategies. These must be sustained by environmental education and broad participation in decision-making processes.

(8) The complex nature of the problems at hand calls for policies based on the **precautionary principle**. Environmental measures must anticipate, prevent and attack the causes of environmental degradation. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

(9) **Sustainable development requires an equitable distribution of the world's resources** among today's societies, bearing in mind the requirements of future generations. Industrialized and developing countries therefore have a common but differentiated role to play in addressing environmental degradation. Having consumed a vastly disproportionate part of the world's resources, rich countries should take the lead by engaging in vigorous environmental action at home and making the necessary financial and technical resources available for sustainable development worldwide. At the same time, developing countries should critically examine domestic spending priorities to ensure that they are sustainable.

(10) The achievement of sustainable development will require thorough transformation of society. Action towards this end should be guided by the principles of **economic efficiency** and **institutional flexibility**. The overall aim must be to maximize developmental benefits at minimum environmental cost, making prices reflect the full environmental costs involved in any economic activity.

(11) The realization of sustainable development worldwide requires an imaginative and compelling vision of **global governance**. Political will has to be mobilized in order to reform and revitalize the existing system of global institutions. Of particular importance is the establishment of transparent monitoring mechanisms to ensure effective verification of universal compliance with international conventions and protocols.

II. Main directions on the broad issues covered by UNCED

(12) We call on all participating Governments to commit themselves fully to contributing to a successful outcome to UNCED. In the first place, the Earth Charter should be adopted. It should set out the governing principles of environmental action.

(13) Furthermore, we expect Governments participating in UNCED to sign and implement an effective framework convention on climate change with targets and timetables. A framework convention on biological diversity should also be adopted, together with a statement on the principles for the sustainable use and management of all types of forest. In addition to signing these conventions and agreeing these principles, parties should agree on an ambitious strategy for the further negotiation of substantive protocols covering, for example, the need for further reductions of emissions of greenhouse gases. Domestic action to fulfil national commitments should be combined with international co-operation based on cost-effective and flexible approaches. Conventions and protocols must be universal in scope and take account of the different responsibilities of industrialized and developing countries.

(14) We emphasize the need for an ambitious, effective and adequately funded **"Agenda 21" action plan** with concrete provisions specifying measurable objectives, priorities, and targets within specified time horizons. It should cover national and regional action, as well as co-ordinated action by international institutions, and should make clear which party has the responsibility to deliver a given commitment. Since environment and development are inter-related, particular importance will have to be attached to environmental problems threatening ecosystems and thereby development priorities: these include land degradation, depletion and pollution of water resources, soil erosion, desertification, acid precipitation, ozone layer depletion, overfishing, overcutting of forests, coastal and marine pollution. Agenda 21 should also provide for a global management framework for land-based sources of marine pollution, lay down strict timetables for phasing out hazardous materials and encourage all industrialized countries to search for benign alternatives.

(15) We call on all Governments, especially those of coastal States, to pursue sustainable development of the resources of the sea by:

- adopting appropriate measures for the rational management of fish stocks and the protection of the marine environment;

- ensuring that fishing policies lay down rules for the management of straddling stocks;

- giving full effect to the rules of international law applying to the high seas, as reflected in the provisions of the United Nations Convention on the Law of the Sea, of which we urge the early ratification by at least 60 nations;

- paying particular attention to the requirements of developing nations with respect to their fisheries within and beyond the 200-mile limit.

(16) Severe financial constraints make it difficult to achieve sustainability in developing countries. At UNCED, industrialized countries should commit themselves to significantly increasing the transfer of financial resources to developing countries so as to improve living and working conditions by eradicating poverty and halting environmental degradation. Conventional aid for sustainable development should be made commensurate with the accepted target of 0.7 per cent of GNP as soon as possible. Moreover, for developing countries to be able to play their part in caring for the global environment, additional resources should be provided. Guidelines and targets for increased debt relief and cancellation as well as financial concessions should be agreed on to reflect the need for equitable burden-sharing. The institutions hitherto responsible for debt crisis management should be called on to hammer out the necessary reforms.

(17) We draw the attention of developing countries to the fact that demographic pressure is draining natural resources and obstructing development. Rising and excessive population growth rates are largely responsible for environmental degradation, but urbanization, population density ratios, economic dependency ratios, the proportion of the population that is unemployed, illiteracy and negative social behaviour also affect both the environment and development. Demographic pressures could be reduced by providing better family planning and better mother and child care as foreseen in Agenda 21.

(18) We urge industrialized nations to co-operate with developing countries to develop environmentally sound technologies and to ensure access to them, in order to increase the transfer of such technologies on a fair basis. Commercial transactions will play an important part in technology transfer, and UNCED should encourage the formation of innovative partnerships between industry, Governments and NGOs to carry this process further, nationally as well as internationally. In designing technology transfer strategies, particular attention should be paid to the need for education, training, improved legislation and the development of management capabilities to ensure efficient adaptation and implementation of available technologies and to prevent any abuse of such technologies. Furthermore, the transfer of environmentally sound technologies should impose no unreasonable economic or financial burden on developing countries with regard to trademarks and copyright. Finally, the capacity of developing countries to absorb technologies and develop their own indigenous technologies should be strengthened.

(19) Energy is an invaluable dynamo of economic development, but at the same time its production, distribution and use create some of the world's most pressing ecological and political problems. In addition, today's pattern of energy use is not sustainable, particularly in industrialized countries. We call on UNCED to develop a set of guidelines and priorities for the sustainable production and consumption of energy. The promotion of institutional reform, energy efficiency and a shift towards non-nuclear renewable sources of energy should make up the core of such a strategy.

(20) Existing international trade practices create an imbalance, since the needs of developing countries are not taken into full account and the ecological costs involved in production, transport and consumption of goods and services are not reflected. UNCED should accordingly encourage international economic co-operation with a view to modifying current global economic structures so as to establish an ecologically and socially acceptable form of market economy. The constructive shaping of international trade relations in which

developing countries would be involved on an equal footing would provide an important basis for the future development of all countries and for the fight against poverty.

III. Follow-up and implementation

(21) We emphasize the need for visible, accountable mechanisms with effective authority to ensure continuity of the process initiated at UNCED. Governments should use UNCED as an opportunity to revitalize existing institutions dealing with environment and development. Consideration should also be given to the need for new institutions, but none should be established unless they respond to specific needs not covered by existing organizations. Due account should be taken of the fact that responsibility for every activity should be vested in the level closest to the people affected at which it can be managed most effectively. The UN Secretary-General should establish a mechanism accountable to the highest levels of the United Nations to assess needs, formulate policy, initiate and co-ordinate action for sustainable development and monitor and report on progress.

(22) Action at the national level will be crucial in the follow-up of UNCED decisions and priorities. We urge Governments to re-examine critically existing national policies, strategies and institutions for sustainable development and propose new ones as appropriate. The prompt adoption of national strategies for sustainable development as well as other national and regional measures is important to ensure the dynamism and flexibility of global conventions and protocols. National accounting systems should be adapted to reflect the values of natural resources in real terms. UNCED should receive from Governments firm commitments to submit annual performance reports to be reviewed by independent international panels under UNEP guidance and forwarded to the United Nations General Assembly.

(23) At the international level, environmental reform can succeed only if Governments display sufficient political will. In particular, we urge UNCED participants to improve environmental performance by undertaking to establish mechanisms for effective monitoring of environmental quality and assessment of the costs and benefits of development. The results of such monitoring and assessment should be open to independent review.

(24) We attach high priority to making UNEP more meaningful and effective within the family of United Nations agencies. In addition, all UN institutions and multilateral development banks should have to publish regularly environmental targets and strategies compatible with sustainable development.

(25) As regards financial mechanisms, the first step should be to search for additional resources without adding to the number of funds.

(26) Local environmental questions fall within the scope of national development policies and, hence, bilateral and multilateral aid mechanisms. Dealing with worldwide environmental questions requires specific financing, particularly through the Global Environmental Facility (GEF). The operation of the GEF should be modified so as to involve the developing countries in the definition of its objectives, and its scope should be enlarged to cover desertification and water resources.

(27) At all levels, better co-ordination between donor countries, agencies and beneficiaries is essential to make assistance to sustainable development more effective.

(28) Commitments and obligations in respect of action at the national level should be the cornerstone of all treaties relating to sustainable development. But mechanisms should also be developed to facilitate co-operation across borders and regions to optimize cost-effectiveness, for example, clearing-house mechanisms to enable industrialized countries to invest in projects in developing countries which will lead to better environmental solutions at lower cost.

(29) Global governance reforms will need to go beyond changing institutional machinery. We urge Governments through UNCED to open up the structure of international co-operation to more public participation than is now allowed. Input from the scientific community and non-governmental organizations to treaties on environment and development should be encouraged and expanded, and be structured in such a way as to reconcile practical concerns with those of scientific legitimacy and popular participation.

(30) We reaffirm our commitment to a meaningful UNCED. We will note its achievements with interest and review fully its outcome and follow-up at the Inter-Parliamentary Conference on Environment and Development, to be held in Brasilia from 23 to 28 November 1992.

THE ORGANIZATION AND FUNCTIONING OF DEMOCRACY AND THE EXPRESSION OF ETHNIC DIVERSITY AS A MEANS OF ENSURING THE STABILITY OF ALL STATES, ECONOMIC DEVELOPMENT AND BETTER USE OF THE PEACE DIVIDEND FOR THE BENEFIT OF THE THIRD WORLD

Resolution adopted without a vote

The 87th Inter-Parliamentary Conference,

Recalling the United Nations Charter, the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Covenant on Economic, Social and Cultural Rights,

Recognizing the International Covenant on Civil and Political Rights, which constitutes the first legally binding international UN treaty in the field of human rights,

Recalling the declarations and resolutions of other international and multilateral bodies reaffirming respect for human rights and fundamental freedoms,

Reaffirming that all Governments have an obligation to promote and protect the human rights of all, without distinction as to race, caste, colour, sex, language, religion, political or other opinion, national or social origin, property or place of birth,

Recognizing that pluralistic democracy may exist in a variety of forms, is not confined to one particular model, and requires that those governed should participate in government,

Conscious that universal principles and elements of democracy should be followed by all and that it is up to every State to develop its own system in which these basic principles are implemented, in keeping with the nation's sociocultural traditions, values and ideals for the future,

Taking into account that democracy constitutes a prerequisite for sustainable development which allows people to develop their creative energies and contribute to building and furthering their society,

Recognizing that democracy and development are inseparably interrelated,

Bearing in mind the indivisibility and interlinkages of all human rights and fundamental freedoms,

Referring to such basic principles as respect for human rights, rule of law, separation of powers, national sovereignty, pluralism, elections and religious freedom,

Conscious of basic *habeas corpus* guarantees such as the right to life, legal security and the independence of the justice system, protection against arbitrary arrest and the right to a fair trial,

Reaffirming that the effective functioning of democracy requires competence, accountability and respect for the individual on the part of those in government, that it is the right of all people to participate freely in the government of their country, either directly or through freely chosen representatives, and that the basis of the authority of democratic government is the will of the people,

Reaffirming also that civil and political rights can best be observed in an environment of economic and social justice,

Expressing deep concern that throughout the world serious problems are arising from inter-ethnic and inter-group conflicts involving, in particular, persons belonging to national, ethnic, religious or linguistic minorities,

Recalling Article 27 of the International Covenant on Civil and Political Rights, according to which "in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language",

Considering that the fundamental principle of non-interference in the domestic affairs of States is not incompatible with the duty of the international community toward human rights treaties and the duty of rendering assistance to oppressed national, ethnic, religious or linguistic minorities,

Considering that the promotion and protection of the rights of these persons contributes to the political, economic and social stability of the States in which they live and to the strengthening of co-operation and friendship among peoples and States,

Recognizing the importance to the stability and economic development of multi-ethnic States of peaceful co-existence between the various communities and the mutual respect for their traditions, languages, religions and practices,

Convinced that only the establishment of democratic systems can bring nations closer together in respect for law and fundamental freedoms, and urging the non-use of force and violence in the settlement of conflicts, be it between or within States, the respect of the rights of persons belonging to national, ethnic, religious or linguistic minorities and the loyalty of such minorities to the State, which contributes to national stability and integrity,

Recalling that for democracy to be maintained in developing countries, it should go hand in hand with sustainable economic and social development so that hunger, illiteracy and abject poverty do not deprive the people of their most basic rights,

Considering the potential dimension of the peace dividend to be reaped by the ending of the Cold War, and the fact that a small percentage of those savings, if passed on, could avert much conflict and unrest in developing countries,

A. With regard to democratic values and mechanisms

1. Calls on all States to take measures to ensure that their political structures are based on the full participation of all citizens, regardless of racial, ethnic, linguistic or religious background, as well as on the principles of individual freedom and basic human rights for all, in order to promote dynamic and harmonious inter-ethnic relations;

2. Condemns all acts of racism, xenophobia and discrimination on grounds of nationality, race, sex or religion, and calls on all Governments to establish effective laws in this regard;

3. Underlines the fundamental role of women in productive processes and the need to enhance their involvement in the decision-making process and eradicate inequalities between men and women;

4. Reminds Governments of the importance of access to the media for the full expression of ethnic, religious or linguistic identity, and calls on them to ensure such access wherever necessary;

5. Emphasizes that the establishment of political freedom, participation by all, respect for human rights and the rule of law are essential for long-term stability and sustainable economic development;

B. With regard to national minorities and ethnic diversity

6. Acknowledges that a universally accepted definition of "minorities" does not exist, and recommends the improvement of standards concerning civil and political rights and the protection of persons belonging to national, ethnic, religious or linguistic minorities;

7. Urges all Governments to ensure that national policies and programmes are planned and implemented with due regard for the legitimate interests of persons belonging to minorities;

8. Calls on all nations to settle disputes and conflicts, particularly those affecting national minorities, by peaceful and non-violent means and in a spirit of mutual respect, in compliance with the Charter of the United Nations and with international law;

9. Calls on all States to protect within their respective territories the existence and the national, ethnic, cultural, religious or linguistic identity of minorities and to create conditions for the promotion of that identity;

10. Calls on Governments and parliamentary assemblies to take steps to protect and promote peaceful co-existence and constructive interaction between the various communities of multi-ethnic societies;

11. Recommends that parliamentarians worldwide welcome information and suggestions provided by non-governmental human rights organizations regarding persons belonging to national, ethnic, religious or linguistic minorities;

C. With regard to international instruments

12. Calls on all States that have not yet done so to accede to and/or ratify the International Covenant on Civil and Political Rights and all other international human rights treaties;

13. Calls for the full implementation of the principles of these treaties;

14. Proposes that the set of instruments available to the United Nations for peace-keeping purposes be expanded and strengthened;

15. Calls for the further development of international mechanisms, such as the establishment of a United Nations Court of Human Rights and a High Commissioner for Human Rights, with a view to strengthening and steadily improving human rights treaties;

D. With regard to the peace dividend

16. Calls for new approaches to peaceful and constructive international co-operation in a period of growing confidence;

17. Calls on the developed countries to reduce spending on arms and redirect resources towards investment in economic development, ensuring that the benefits are distributed fairly amongst the developing countries;

18. Calls on developing countries to freeze military spending and increase social spending on priority areas of human development.

THE PANDEMIC NATURE OF ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): ITS THREAT TO WORLD ECONOMIC GROWTH AND POLITICAL AND SOCIAL STABILITY, ESPECIALLY IN THE THIRD WORLD; THE PROMOTION OF POLICIES TO TRANSFORM SCIENTIFIC KNOWLEDGE INTO PUBLIC POLICY AND SOCIAL AND POLITICAL COMMITMENT TO MITIGATE ITS EFFECTS

Resolution adopted without a vote

The 87th Inter-Parliamentary Conference,

Acknowledging that the control and ultimate elimination of the Acquired Immune Deficiency Syndrome (AIDS) will require both identification of the source of the Human Immunodeficiency Virus (HIV) and formulation of means of preventing its spread and achieving a cure,

Deeply concerned that there is presently no cure for AIDS, that the epidemic has already reached pandemic proportions and seriously threatens the very existence of the human race,

Aware that AIDS already adversely affects world economic growth and political and social stability, and will continue to do so at an accelerating rate,

Acknowledging that balancing the rights and responsibilities of a wide range of people is a formidable but necessary legislative task of Parliaments,

Convinced that Governments and society at large should do everything in their power to control the spread of AIDS and to mitigate the effects of the pandemic while protecting human rights and civil liberties,

Recognizing that regional co-operation and co-operation with World Health Organization (WHO) agencies will be essential in containing AIDS, which knows no national boundaries,

Considering that intermediary organizations (non-governmental organizations, private voluntary organizations, voluntary agencies), traditional societies and religious institutions have access to and significant influence on people,

Conscious that for countries to be able to meet the escalating cost of preventing AIDS and providing treatment for its victims, Governments will have to restructure expenditure priorities and the developed countries will have to assist the less developed ones,

1. Calls on parliamentarians to acknowledge the scope of the pandemic and urgently to press their respective Governments and community and religious leaders to pursue a comprehensive strategy for controlling the spread of the Human Immunodeficiency Virus (HIV) that causes AIDS, including:

(a) Introducing in school and university curricula health education for the prevention of AIDS and organizing positive public education and information campaigns that stress the need for preventive measures in the absence of any cure and take into account the socio-cultural and religious backgrounds of all citizens and residents in each State;

(b) Testing of donors to blood and other human tissue banks and of donors for organ transplants;

(c) Reporting of infections to health authorities (including WHO) and the undertaking of epidemiological surveillance;

(d) Institution of centrally co-ordinated policies to ensure effective sterilization procedures in all public health facilities;

(e) Removal of impediments to the trialing and marketing of treatments and provision of appropriate treatment to infected individuals;

(f) Counselling those at particular risk and those who are already infected, as well as advising infected individuals about their responsibility to avoid infecting others and ways of minimizing the risk of transmission;

(g) Adoption of infection-reduction approaches to sexual activity, intravenous drug use and prostitution, and access to condoms and disposable syringes, particularly for HIV-infected people;

(h) Accepting responsibility for dissuading citizens from engaging in high-risk behaviour outside their own countries;

2. Congratulates those Governments that have already made considerable efforts to concentrate their countries' scientific resources on finding an effective vaccine to combat the scourge of the Human Immunodeficiency Virus, and calls on all Governments to increase their efforts in the area of AIDS prevention;

3. Also calls on all Parliaments and Governments to recognize that AIDS primarily strikes down men and women in the prime of life who are the main breadwinners, and stressing that the most tragic victims may be the increasingly large number of children in the developing countries orphaned by the disease, urges Governments to commit adequate resources to their education and welfare;

4. Further calls on Parliaments and Governments to secure payment of compensation to HIV-infected haemophiliacs and receivers of blood transfusions and their HIV-infected spouse and children;

5. Urges Governments to ensure protection of the human rights and civil liberties of people infected, or believed likely to be infected.

DEFENCE OF REPRESENTATIVE INSTITUTIONS IN PERU

Resolution adopted unanimously

The 87th Inter-Parliamentary Conference,

Considering that one of the main aims of the Inter-Parliamentary Union, which brings together parliamentarians from 115 countries, is "the firm establishment of representative institutions",

Considering that on 5 April, the Parliament of Peru was dissolved in breach of the constitution and institutions of that country,

1. Denounces the dissolution of the Parliament of the Republic of Peru,

2. Demands the immediate re-establishment of the parliamentary institution in Peru;

3. Urges all Parliaments and their members to take resolute and swift action to ensure the re-establishment of democracy in Peru.

UNITED NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/47/707
S/24832
23 November 1992
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-seventh session
Agenda items 25, 28, 30, 33, 35, 43, 45, 46 and 143
COOPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF THE ISLAMIC CONFERENCE
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY
QUESTION OF PALESTINE
POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA
THE SITUATION IN THE MIDDLE EAST
LAUNCHING OF GLOBAL NEGOTIATIONS ON INTERNATIONAL ECONOMIC COOPERATION FOR DEVELOPMENT
QUESTION OF CYPRUS
CONSEQUENCES OF THE IRAQI OCCUPATION OF AND AGGRESSION AGAINST KUWAIT
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-seventh year

Letter dated 19 November 1992 from the Permanent Representative of Mauritania to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the final declaration of the fifth regular session of the Presidential Council of the Arab Maghreb Union, held from 15 to 16 Jumada I A.H. 1413 (10-11 November A.D. 1992).

I should be grateful if you would have the present letter and the aforementioned Declaration circulated as an official document of the General Assembly, under agenda items 25, 28, 30, 33, 35, 43, 45, 46 and 143, and of the Security Council.

(Signed) Mohamedou OULD MOHAMED MAHMOUD
Ambassador
Permanent Representative

ANNEX

In the Name of God, the Merciful, the Compassionate

Final declaration of the fifth regular session of the Presidential Council, held at Nouakchott from 15 to 16 Jumada I A.H. 1413 (1402 MWR) (10-11 November A.D. 1992)

At the invitation of His Excellency President Maawiya Ould Sid' Ahmed Taya, President of the Islamic Republic of Mauritania, and pursuant to articles 4 and 5 of the Treaty instituting the Arab Maghreb Union, the fifth regular session of the Presidential Council of the Arab Maghreb Union was held at Nouakchott from 15 to 16 Jumada I A.H. 1413 (1402 MWR) (10-11 November A.D. 1992) and was attended by the following:

His Excellency President Maawiya Ould Sid' Ahmed Taya, President of the Islamic Republic of Mauritania;

His Excellency President Zine El Abidine Ben Ali, President of the Republic of Tunisia;

His Excellency President Ali Kafi, President of the Supreme Council of State of the People's Democratic Republic of Algeria;

His Excellency Mr. Mohamed Karim Lamrani, Prime Minister, representing His Majesty King Hassan II, King of the Kingdom of Morocco;

Mr. Muhammad Abu al-Qasim al-Zawiy, Secretary of the Libyan Arab Brotherhood Bureau at Rabat, representing His Excellency Colonel Muammar Qaddafi, Leader of the Great Revolution of 1 September of the great Socialist People's Libyan Arab Jamahiriya.

At the opening of the session, His Excellency President Maawiya Ould Sid' Ahmed Taya, President of the Islamic Republic and Chairman of the Presidential Council, took the floor to express a warm welcome to the heads of delegations from the different States of the Union. He said the Mauritanian people was proud to host the session and determined to maintain its active participation in building the Maghreb edifice.

The Chairman also drew attention to the achievements of joint action by the Union and to the significant steps so far taken in the direction of integration and convergence. Some of these had taken the form of agreements, which were of great importance in view of their direct bearing on the daily life of Maghreb citizens. Others were evident in the productive dialogue established with regional groupings in Africa and Europe, which would help to build strong bridges between North and South. Such achievements were being made in changed international conditions: these conditions must be addressed and their negative aspects avoided.

At the conclusion of his address, His Excellency President Maawiya Ould Sid' Ahmed Taya said that the unification and economic and social integration of the Arab Maghreb constituted a serious stage on the road towards the goal of comprehensive Arab unity.

His Excellency President Ali Kafi, President of the Supreme Council of State of the People's Democratic Republic of Algeria, then spoke on behalf of the heads and members of delegations. He congratulated His Excellency President Maawiya Ould Sid' Ahmed Taya on the trust placed in him by the Mauritanian people when electing him President of the Islamic Republic of Mauritania and addressed his sincere best wishes to the fraternal people of Mauritania.

The President then highlighted the strategic position of the Arab Maghreb, which must be exploited for the benefit of peace, progress, prosperity and stability in that vital region. He emphasized the need to build a cohesive and firmly founded Arab Maghreb governed by fraternity, concord and solidarity. He went on to say that not all the gains made by the Union had been translated into reality and called for an objective assessment, to be carried out by Maghreb experts, of how a strong and harmonious Maghreb entity could be formed on the basis of a long-term strategy, drawing on our own enormous resources.

In conclusion, President Ali Kafi again thanked the leadership and people of Mauritania for their hospitality and for the warm reception extended to his and other delegations in the noble land of Mauritania.

The Council then proceeded to examine the items on the session's agenda, for the purpose of reviewing the course and dimensions of Maghreb action since the previous Presidential session. It also exchanged views and comments on issues of joint Maghreb significance.

1. Maghreb action

(a) Progress in building the Union

The Council considered the report submitted to it by the Council of Foreign Ministers concerning the course of Maghreb action during the period and progress made in building the Arab Maghreb Union, despite the actual conditions and external factors affecting this course of action. It expressed the wish that all bodies concerned with joint Maghreb action should continue their efforts to give the necessary impetus and to impart added dynamism to the process, with a view to fulfilling the aspirations of the Union's peoples and to realizing their legitimate hopes of creating a single Maghreb space where citizens would enjoy freedom of movement, ownership and investment.

With regard to progress in implementing the 15 Maghreb decisions and agreements, the Council took note of the status of the agreements, which are currently undergoing constitutional and technical procedures in preparation for their imminent entry into force. The Council also registered its

satisfaction at the entry into force, as of the beginning of the fourth month of this year, of the Agreement on unified bilateral payments between Maghreb central banks.

The Council was also apprised of the results of the joint meetings held between Ministers for Foreign Affairs and other Ministers and Secretaries concerned with Maghreb action. It expressed satisfaction at the progress made at those meetings in overcoming technical difficulties, with a view to advancing the completion of executive programmes and establishing priorities for Union action in the context of a clear plan ensuring progress in solid and carefully considered phases.

In this connection, the Council asked the Ministerial Economic and Financial Committee to take measures and make the necessary technical arrangements for the inauguration of a free trade area, and to make appropriate preparations for the other stages of the Maghreb joint development strategy.

The Council also took note of progress made in establishing organs and institutions of the Union in their permanent headquarters. It expressed satisfaction that the General Secretariat had moved into its headquarters at Rabat and begun to carry out its functions, and stressed the need to strengthen this organ of the Union until all its human and material components were in place.

The Council likewise considered ongoing practical arrangements to install the other organs and institutions of the Union in their headquarters and, in this connection, emphasized the importance of these institutions in view of their major contribution to fulfilling Maghreb aspirations and to constructing a better future based on integration, unification and convergence.

(b) Decisions

The Council adopted the following decisions:

A decision amending articles 4 and 5 of the Treaty instituting the Arab Maghreb Union, concerning the periodicity of meetings of the Presidential Council;

A decision to sign the following Maghreb instruments:

The Maghreb Charter on environmental protection and sustainable development;

The Agreement on unified judicial organization between the States of the Arab Maghreb Union;

The Agreement on cultural cooperation between the States of the Arab Maghreb Union;

A decision specifying the headquarters of the organs and institutions of the Arab Maghreb Union;

A decision to appoint the Secretary-General of the Arab Maghreb Union;

A decision to approve an amendment to the rules of procedure of the Consultative Council;

A decision to authorize the agreements and executive instructions formulated by the Specialized Ministerial Committees and relating, in particular, to the Arab Maghreb Prize for cultural achievement; the organization of public transactions; certificates of origin; and the unified system of qualifications for judicial institutes; as well as instructions defining industrial and sanitary standards for veterinary drugs and the import of livestock.

2. Political consultation

In consonance with the year of dialogue and consultation, the Council conducted an assessment of the regional, Arab, African and international situation with a view to coordinating positions and identifying ways of harnessing Union efforts at all levels, in the service of Arab rights and of the causes of international justice, development and peace. In this context, it also commended the efforts to attain these objectives undertaken during the period of the current Presidency.

With respect to the embargo and sanctions imposed on the great Socialist People's Libyan Arab Jamahiriya as a result of the crisis between it and certain Western countries, the Council, recalling the statements adopted by the Union, by the League of Arab States and by the Islamic Conference Organization, and affirming once again its condemnation of all forms of terrorism, expresses its concern at the harm done by this embargo to the Libyan people and to the other peoples of the Arab Maghreb. It also expresses the Union's solidarity with the Jamahiriya and commends the initiatives taken by the Jamahiriya to comply with Security Council resolutions in accordance with the requirements of international law.

In this context, the Presidential Council affirms the Union's determination to persist in efforts to identify a peaceful, fair and honourable solution of the crisis and calls on the Security Council to reconsider its decisions in respect of the Jamahiriya with a view to lifting the embargo.

In its review of the situation in the region, the Council deplored all forms of terrorism and extremism and affirmed the importance of coordination and cooperation among member States to counter and to curb this dangerous phenomenon, which is alien to the Maghreb community, to its civilization and to its ancient traditions of tolerance and solidarity.

Because this phenomenon represents a threat to the stability and security of our community, and to the democratic path it is following, the Council urges all countries to observe the principle of mutual respect for the sovereignty and security of States and to take action to prevent the use of their territory or institutions by individuals or groups seeking to harm our community, its noble values and its generous faith.

The Council reviewed the various stages of the Middle East peace process. After listening to Mr. Yasser Arafat, President of the State of Palestine, and noting the absence of any noticeable progress in the peace talks, it expressed the hope that efforts would be intensified in the search for a fair and peaceful solution of the question of Palestine that would guarantee the Palestinian people's right to self-determination and to the establishment of its own State, as well as Israel's withdrawal from all the occupied Arab territories, including the Holy City of Jerusalem. It also called on the two States sponsoring the talks to strive for tangible progress in accordance with the established conditions and guarantees.

The Council also considered the situation in the occupied Palestinian territories, which had deteriorated as a result of the constant repressive measures of the Israeli occupation forces against innocent civilians. It expressed its continuing support for the intifadah of the courageous Palestinian people and appealed to the conscience of the international community to end the suffering of a people fighting for the restoration of its dignity, its usurped rights and its self-determination in a manner commensurate with international legitimacy and the principles of human rights.

With respect to the Arabian Gulf region, the Council expressed concern at the sufferings undergone by the fraternal Iraqi people as a result of the international embargo, which had done great harm to children and the elderly by depriving them of the most basic elements of life and medical care, and called for the embargo to be lifted. It affirmed its support for Iraq's territorial integrity and sovereignty over all its national soil. At the same time, it stated that respect for the independence, sovereignty and territorial integrity of the fraternal State of Kuwait was imperative and hoped that all States of the region would duly resume their participation in the process of strengthening Arab solidarity.

The Council condemned the measures taken by Iran, in violation of international agreements, to alter the status of the United Arab Emirates island of Abu Musa. It declared its support for the proven rights of the United Arab Emirates to the islands of Abu Musa, Greater Tunb and Lesser Tunb, and called for a solution of the disputes by peaceful means and in accordance with the provisions of international conventions, in order to spare the region from any sources of tension and to channel all efforts into cooperation on a basis of harmony and good-neighbourliness.

The Council expressed its profound concern at the continuing civil war in Somalia and the ever-worsening tragedy resulting from the fighting, the spread of hunger and the daily rise in the number of victims. It called on the

fraternal groups in Somalia to let wisdom prevail and to place the higher national interest above every other consideration, in order to ensure the country's unity and independence. The Council also insisted on the need to step up international humanitarian assistance at this critical stage and to formulate an effective plan to ensure such assistance reached those for whom it was intended.

The Council examined, as a matter of deep concern, the situation in the former Republic of Yugoslavia, and especially in Bosnia and Herzegovina, whose peoples were undergoing constant suffering as a result of the aggression and the siege imposed by Serbian forces, as well as those forces' use of ethnic cleansing, concentration camps and campaigns of genocide.

The Council deplores such barbarous acts, expresses its sympathy with the peoples of Bosnia and Herzegovina and calls on the United Nations and all forces advocating peace and goodwill to work for the removal of the Serbian embargo and to ensure the delivery of help and humanitarian relief supplies to the besieged populations, as well as respect for the independence and sovereignty of the Republic of Bosnia and Herzegovina and the solution of outstanding problems by peaceful means.

With regard to the strengthening of relations between the Arab Maghreb Union and similar African regional groups for the purpose both of consolidating joint African action and of affirming - given their close historical ties and shared civilization and destiny - that the peoples of the Union belong to this continent, the Council reiterated its readiness to maintain contacts with the Economic Community of West African States, with a view to identifying modalities for cooperation. At the same time it affirmed the Union's determination, pursuant to these objectives and in conformity with the whole spectrum of African concerns, to strengthen its links with other African groupings.

In the light of its interest in African issues and concerns, the Council considered the current situation in Liberia and in Angola. It expressed serious concern at the bloody developments in those two fraternal States and called on the conflicting parties in both countries to settle their differences by peaceful means and to harness their energies to the cause of development.

The Council condemned the policy of apartheid in South Africa, expressing the hope that negotiations between the parties concerned would continue until the apartheid regime was dismantled and replaced by a democratic system representing the majority.

The Council also expressed its keen interest in Africa's development concerns and the multiple challenges posed to development action in general by the shortage of indigenous resources, successive cycles of drought and aggravation of the debt burden. It urged the international community to intensify its efforts and to marshal assistance in support of indigenous African endeavours, with a view to fulfilling the aspirations of our African peoples to development and increased prosperity.

With respect to the dialogue between the Union and the nations of south-western Europe, particularly in the "five plus five" framework, the Council affirmed the importance of resuming this dialogue in order to promote solidarity, security and stability in the region, in recognition of the countries' interrelated interests and of the historical, cultural and commercial links between their peoples in the context of a shared Mediterranean heritage. In this connection, the Council called for a resumption of the work of joint expert groups in preparation for the "five plus five" summit meeting which it was agreed should be held in Tunisia at the earliest opportunity.

Turning to relations between the Union and the European Community, the Council calls for a resumption of meetings between the Ministers for Foreign Affairs of the two groups with a view to discussing the most appropriate ways of establishing an advanced framework for cooperation based on partnership, in such a way as to preserve the interests of nations of the Union and the gains made by our community residing in Europe in the light of Europe's future requirements.

In this context, the Presidential Council stresses the importance of ensuring respect for the rights of the Maghreb community at a time of major changes in Europe, as well as the need to enhance their training and to preserve their unique identity.

His Excellency President Maawiya Ould Sid' Ahmed Taya thanked Their Excellencies the Heads of State of countries members of the Union for their efforts and pertinent proposals, which had been of great effect in ensuring the success of their work. The President affirmed the determination of the Union's leaders to continue their productive labours with a view to attaining the objectives of the Treaty instituting the Union and to strengthening ties with similar groups in Africa and Europe in a framework of mutual respect and shared interests. In conclusion, he expressed the pride felt by the Mauritanian people at the presence of the Maghreb leaders in this part of the great Arab Maghreb.

His Excellency President Zine El Abidine Ben Ali, President of the Republic of Tunisia, also delivered an address in which he expressed thanks and appreciation to His Excellency President Maawiya Ould Sid' Ahmed Taya, President of the Islamic Republic of Mauritania, for his unceasing valuable efforts to strengthen the Arab Maghreb edifice. Referring to action taken by the Union, the President emphasized that progress so far was worthy of pride: if further development was required, it should correspond to the aspirations of the Maghreb peoples and further strengthen the Union's credibility, with respect both to Maghreb citizens and to the international domain. The President affirmed that the objective circumstances of the Maghreb situation must not constitute an obstacle to the progress of Union action but should instead serve as a permanent incentive to eliminate such obstacles.

His Excellency President Zine El Abidine Ben Ali added that the time had come to endow the Union with the means to achieve its objectives, particularly

by strengthening the General Secretariat so that it could perform its role in the optimum manner. He expressed the determination of Tunisia, which would have the honour of assuming the Union's Presidency at the beginning of the coming year, to maintain the same endeavour, participation and initiative by all means likely to give the required impetus to Union action - a process of historical necessity and inevitability.

At the conclusion of the session's work, the Presidential Council expressed sincere sentiments of gratitude and appreciation to His Excellency President Maawiya Ould Sid' Ahmed Taya, President of the Islamic Republic of Mauritania and current Chairman of the Presidential Council, and to the Government and people of Mauritania for their warm welcome, hospitality and excellent organization, which had been crucial to the success of the session.